Notice of Allowability	Application No.	Applicant(s)	
	10/716,842	KASDAN ET AL.	
	Examiner	Art Unit	
	Sunray Chang	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *June 14th, 2007*.

2. ☒ The allowed claim(s) is/are *1-8 and 10-25*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20070816* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan A. Limbach on August 16th, 2007.

The application has been amended as follows:

1. Amend claim 1 to include the limitations in claim 9:

Claim 1. A medical system for analyzing a sample comprising:

a first control level having at least one level-1 controller for moving through a sequence of first level states each associated with a unique first state index number, the first control level generating a first level command associated with one of the first level states; and

a second control level having a level-2 controller for moving through a sequence of second level states each associated with a unique second state index number in response to the first level command and for sending a status report to the first control level when a level-2 condition that is defined in one of the second level states is fulfilled;

wherein at least one of the first controller and the second controller sending or receiving signals to or from components of a medical system in response to the moving through the sequence of the first or second level states for controlling or sensing a status of the components;

wherein the components of the medical system comprise sample aspiration components, flow cell components, transport mechanisms, and image acquisition components for urinalysis, and the second control level comprising:

a first level-2 controller for controlling the sample aspiration components, wherein the first level-2 controller is the level-2 controller;

a second level-2 controller for controlling the flow cell components;

a third level-2 controller for controlling the transport mechanisms associated with sampling; and

a fourth level-2 controller for controlling the image acquisition components.

2. Cancel claim 9.

3. Amend claims 10-11 and 15-19 to each depend from claim 1 (instead of claim 9), as indicated below,

Claim 10. The system of ~~claim 9~~ claim 1 further comprising a pump, a valve, and a motor, wherein the pump, the valve, and the motor are controlled by the first level-2 controller.

Claim 11. The system of ~~claim 9~~ claim 1 further comprising a processor for generating a level-2 controller table containing second level commands, wherein the first level-2 controller controls the sample aspiration components according to the level-2 controller table, and wherein the level-2 controller table is indexed by the second state index numbers.

Claim 15. The system of ~~claim 9~~ claim 1, wherein the first level-2 controller controls the sample aspiration components, wherein a subgroup of sample aspiration components are controlled by both the first and the second level-2 controllers.

Claim 16. The system of ~~claim 9~~ claim 1, wherein the flow cell comprise a valve and a pump for controlling flow of fluids.

Claim 17. The system of ~~claim 9~~ claim 1 further comprising a specimen rack for holding urinalysis samples, wherein the transport mechanisms comprise at least one of an arm, a motor, and a conveyor belt for transporting the specimen rack.

Claim 18. The system of ~~claim 9~~ claim 1 further comprising a processor for generating a level-2 controller table containing parameters, wherein the third level-2 controller controls the transport mechanisms according to the parameters in the level-2 controller table.

Claim 19. The system of ~~claim 9~~ claim 1, wherein the image acquisition components comprise a strobe bulb, a camera, and a motor.

REASONS FOR ALLOWANCE

1. This office action is in responsive to the paper filed on June 14th, 2007.

2. The following is an examiner's statement of reasons for allowance:

- The claimed invention is a method for analyzing a sample.
- The claimed method include a limitation "the components of the medical system comprise sample aspiration components, flow cell components, transport mechanisms, and image acquisition components for urinalysis, and the second control level comprising: a first level-2 controller for controlling the sample aspiration components, wherein the first level-2 controller is the level-2 controller; a second level-2 controller for controlling the flow cell components; a third level-2 controller for controlling the transport mechanisms associated with sampling; and a fourth level-2 controller for controlling the image acquisition components". The combination of prior art of record does not expressly disclose or suggest the "method" with the feature of "the components of the medical system comprise sample aspiration components, flow cell components, transport mechanisms, and image acquisition components for urinalysis, and the second control level comprising: a first level-2 controller for controlling the sample aspiration components, wherein the first level-2 controller is the level-2 controller; a second level-2 controller for controlling the flow cell components; a third level-2 controller for controlling the transport mechanisms associated with sampling; and a fourth level-2 controller for controlling the image acquisition components".

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

4. Claim 9 has been cancelled.

Claims 1 – 8 and 10 – 25 are deemed allowable.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunray Chang who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. via telephone number (571) 272-3682 or facsimile transmission (571) 273-3682 or email sunray.chang@uspto.gov.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687.

The official facsimile transmission number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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U.S. Patent and Trademark Office

August 20, 2007